

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**KIMBERLY LADNIER**

**v.**

**CAUSE NO. 1:21-cv-407-LG-RPM**

**STATE FARM FIRE AND  
CASUALTY COMPANY**

**ORDER GRANTING ORE TENUS MOTION  
FOR JUDGMENT AS A MATTER OF LAW**

**BEFORE THE COURT** is the *ore tenus* Motion for Judgment as a Matter of Law filed by Defendant, State Farm Fire and Casualty Company, at the conclusion of Plaintiff's presentation of evidence. A court may grant judgment as a matter of law if "the court finds that a reasonable jury would not have a legally sufficient evidentiary basis to find for the party on that issue." Fed. R. Civ. P. 50(a)(1). "In resolving such challenges, we draw all reasonable inferences and resolve credibility determinations in the light most favorable to the nonmoving party." *Foradori v. Harris*, 523 F.3d 477, 485 (5th Cir. 2008).

After careful consideration of the Motion, the testimony and evidence presented, and the arguments of counsel stated on the record, the Court finds that a reasonable jury would not have a legally sufficient evidentiary basis to find for the Plaintiff on the issue of damages. Therefore, Defendant, State Farm Fire and Casualty Company, is entitled to judgment as a matter of law pursuant to Fed. R. Civ. P. 50.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that the *ore tenus* Motion for Judgment as a Matter of Law filed by Defendant, State Farm Fire and Casualty Company, is **GRANTED**. This case is **DISMISSED WITH PREJUDICE**.

**SO ORDERED AND ADJUDGED** this the 11<sup>th</sup> day of July, 2023.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE